

TOWN OF LANESBOROUGH SELECTMEN'S MEETING

Submitted by Diane Stevens, Town Secretary

April 11, 2016

Present: Mr. John Goerlach, Chair
Mr. Robert Ericson
Mr. Henry Sayers
Mr. Paul Sieloff, Town Manager

Warrants: Warrant Signed

The meeting was opened by John Goerlach at 6:00 p.m.

Public Comment

As a Finance Committee member, Ray Jones stated that Massachusetts General Laws allows health insurance premium percentages paid by Town retirees to be raised to 50%. Mr. Jones urged the Board to vote to raise these premiums as soon as possible to help absorb other expenses incurred by the Town. Mr. Jones spoke about a newspaper article regarding lost revenue from the Berkshire Mall and stated that raising these premiums would help offset this lost revenue.

Proposed Sunday Entertainment License Application

Mr. Sieloff presented the Board with a proposed draft Sunday Entertainment License Application for their review and approval. Motion 16-052. Motion made by Robert Ericson to approve the Sunday Entertainment License Application, seconded by Henry Sayers. Motion carried 3-0.[#1]

Announcement of Committee Vacancies

Mr. Sieloff presented the Board with a list of committee vacancies. Mr. Goerlach read the list aloud and asked that interested parties contact Town Hall. Mr. Sieloff stated that any appointment made would only be until June 30th after which time the annual appointments will be made for the next fiscal year. [#2]

Health Insurance costs

Mr. Sieloff introduced Attorney Adam Dupere to the Board. Mr. Sieloff stated that Attorney Dupere was present to discuss the possibility of modifying insurance premiums paid by retired Town employees. Attorney Dupere presented the Board with a copy of a Court Decision from February 3, 2015 and stated that this Court decision gives the Town the right to set the retiree health insurance percentages to 51% or lower pursuant to G.L. c. 32B, §§9, 9A and 9E. Mr. Goerlach asked if it was a Board of Selectmen decision or Annual Town Meeting vote. Attorney Dupere stated that it was a Board of Selectmen decision. Mr. Goerlach asked if one rate could be set for current retirees and another rate of new retirees. Attorney Dupere stated that the rate, generally, must be the same for all retirees. Mr. Sayers asked if there were groups that would not be affected. Mr. Sieloff stated that retirees before 1993 that were at a 90/10 percentage would not be affected. Attorney Dupere asked if Mr. Sieloff could find the vote where that occurred. Mr. Goerlach asked Mr. Sieloff to provide the Board with the cost savings. Mr. Sieloff stated that he was working with the Treasurer and Town Accountant to get this figure but believed it would save approximately \$100,000. Mr. Sayers asked if this was only for health insurance. Attorney Dupere stated that the statute is only for health insurance for retirees. Mr. Sieloff stated that if the Board had any other questions they could be sent to Counsel. The Board thanked Attorney Dupere for attending the meeting. [#3]

Restaurant/Drinking Establishments – Egress Access

Mr. Goerlach stated that there is an open section of the fence at the Brookhouse but he has spoken to the owner and it will be taken care of.

Summer Street Project discussion

Mr. Sieloff introduced Paul Furgal and Pete Valinski, Engineers from Tighe & Bond, who came before the Board to discuss various options regarding the Summer Street project. Mr. Furgal presented information to the Board and gave a brief synopsis of the condition of the existing roadway. Mr. Furgal stated that it could take approximately 7-8 years to complete a design with MassDOT under the complete streets program and the roadway would need to be significantly widened. Mr. Furgal stated that in order to make it attractive for MASSDOT to cover the cost of the project, the Town could consider connecting the road to the rail trail. The Board discussed various options. Mr. Sieloff asked Mr. Furgal approximately how much a project of this

magnitude would cost. Mr. Furgal stated that outside of utility costs the State would pay 100% if the Town were approved at an approximate cost of \$5 to 6.5 million. Mr. Sieloff asked about the cost of the design and Mr. Goerlach asked if there were grants available to pay for it. Mr. Furgal stated that they could help the Town find grants to pay for the cost of the design. Mr. Furgal stated that the Town could investigate to see if there is possibility for economic development to pair with the project which would also make it more attractive to MassDOT and the rail trail would be a significant component. Mr. Tinkham stated there is not much property available for development due to wetlands and zoning. Mr. Goerlach stated that he did not believe the Town would be able to make the roadway attractive to MassDOT due to these restrictions. Mr. Sieloff asked if the Safe Routes to School Program still exists. Mr. Furgal stated that it did but it would still take 5 to 6 years to get funded and it is more of a sidewalk project. Mr. Sayers believed that the design should be done for the State to pay for the project. Mr. Sayers stated that farms along the route to pick strawberries etc., could also be promoted. The Board thanked Mr. Furgal and Mr. Valinski for their time and information. Mr. Sieloff stated that he would put this matter on the next Agenda for further discussion. Mr. Ericson expressed concern about the impact on Berkshire Village residents of the land taking required for such a road widening project. [#4]

Mr. Sieloff informed the Board that letters of support have been signed by some residents in Berkshire Village regarding the installation of a water system. Mr. Sieloff stated that the cost of the project is approximately \$1.5 to 2 million. Mr. Valinski stated that they had hoped to get a planning grant but the Town did not qualify. Mr. Valinski stated that it would cost approximately \$16,000 for his firm to collect the information and data necessary to apply for a State or Federal water grant. Mr. Sayers asked how much it is costing the Town for monthly testing of the water. Mr. Sieloff stated that it is less than \$1,000 a year. Mr. Sieloff asked the Board if they would consider having the Town to pay for half of this expense and possibly have the Berkshire Village residents pay the remaining half. Mr. Goerlach stated that it was something the Board would consider if the residents paid for half because it is a benefit to the community. Mr. Sieloff stated that he would contact the residents.

Economic Development Committee

Mr. Sieloff asked the Board for additional feedback as to how they would like this proposed committee formed. Mr. Goerlach stated that he has spoken with developers to see if they had any ideas. Mr. Sieloff asked how long the Board would like committee to be in place. Mr. Sieloff asked when the Committee will meet and how many members there would be. Mr. Goerlach stated that Tim O'Brien, possibly Barb Hassan and Michelle Johnson would be good prospective members. Mr. Sayers asked if Berkshire Regional Planning or Williams College could be contacted to conduct research. Mr. Goerlach stated that members of this Committee could contact outside agencies. Mr. Sayers would like to look at outside agencies first and then talk about creating a committee. Mr. Sieloff stated that he would contact Berkshire Regional Planning and ask them to come to the next meeting. Dave Vogel stated that the Committee could look at vacant buildings to find ways to utilize them. Mr. Sieloff stated that can be difficult to get committees to file minutes and post agendas properly. Mr. Vogel stated that a role of the committee could be to make it more attractive for new businesses. Mr. Goerlach would like to invite potential committee members and have bylaws drafted by the next meeting.

Quarterly review of Board's Open Projects List

Mr. Sieloff presented the Board with an updated open projects list for their review and suggestions. Mr. Ericson would like the Green Communities grant placed on the next Agenda for a status report. Mr. Sieloff updated the Board regarding the work on Sunrise Street. Mr. Sieloff asked the Board if they would like to be involved with the Police Chief's performance review. The Board agreed to have Mr. Sieloff conduct the review. Mr. Sieloff stated that the Board would be presented with a comprehensive list of Town roads that was received from MassDOT. Mr. Sayers stated that there is a new supervisor with Department of Conservation and Recreation, Mike Case and asked Mr. Sieloff to contact Mr. Case regarding sand and salt for Rockwell Road. Mr. Sieloff told the Board that there are several roads that the Town could accept with minimal cost and accepted roads bring in more Chapter 90 money. Mr. Sieloff told Mr. Ericson that a bid has been received for work at the Town Highway Department which should qualify for reimbursement from the Green Community Grant. Mr. Sieloff asked Mr. Ericson to follow up with the DPW Director. Mr. Goerlach would like to change the personnel policy to reflect language for a delay in school day. Mr. Sieloff will bring language at the next meeting. Mr. Goerlach would also like to add repair/replacement of Town Hall front steps and creation of Economic Development Committee to the

list. Mr. Goerlach received a quote for the repair of the Town Hall steps. Mr. Goerlach would also like repair the cracks near the windows as well. Mr. Sieloff will speak with the DPW Director. Mr. Goerlach would also like to see about planting a holiday tree on the Police Station lawn so the Town could have a tree lighting ceremony each year. [#5]

Budget Discussion

Mr. Sieloff stated that he is working on finalizing the budget and has been getting feedback relative to the proposed 2% Town Hall employee raises. Mr. Goerlach asked Mr. Sieloff to call him to discuss this. Mr. Ericson stated that he would like to see an incentive program implemented wherein employees could receive incentives if they developed ways to reduce costs in their departments. Mr. Goerlach was concerned about how this would be tracked. Mr. Sieloff stated that he could look into this. Mr. Sayers would like to approach the School Committee relative to the \$5,000,000 from Williams College and look into having this pay for half of the increase for the first year of payments on the new school due to the fact that the Town did not expect to pay for this up-front cost. Mr. Goerlach would like an explanation as to why the Town has to pay this money as it was his understanding that the money would be bonded and why is the bond rate so high. Mr. Sieloff stated that both the Town of Lanesborough and the Town of Williamstown's Finance Committees voted unanimously to make a principal payment this year. The Board and Mr. Sieloff discussed different options in order to lower this up front cost. Mr. Sieloff stated that he would like to look into moving the Superintendent's offices to the Elementary School which would offset the cost by receiving lease payments for the use of the space. Mr. Sieloff stated that he would speak with Carrie Greene and ask if the School Committee would consider trying to offset some of the funds. Mr. Sieloff expressed his concern to the Board stating that Town residents voted to fund the debt exclusion knowing that it would increase their taxes and to try to cut the 1/3 of the budget that is not related to the school to offset the cost is unrealistic.

Pittsfield Community Television Contract

Mr. Sieloff stated that he met with Pittsfield Television last week and they are looking at a 1 year contract with a slight increase in price. Mr. Sieloff is hoping to get a new contract for the Board's review by the next meeting. Mr. Sieloff pointed out to the Board the significant improvements and technology changes and the possibility of purchasing new microphones to help with sound quality.

Other business which could not have been reasonably foreseen within 48 hours of the meeting.

None.

Selectmen's Items

Mr. Ericson stated that he has been reviewing the proposed drawings of the new school. Mr. Goerlach asked about the air quality and cleaning at the Police Department. Mr. Sieloff stated that the Police Chief has found a company that will come to disinfect the station and one police car for a nominal fee and he may have this done once a year. Mr. Sieloff stated that he believes that Police Union is satisfied with the work that has been done. Mr. Goerlach would like to purchase new carpet for Town Hall. Mr. Sieloff stated that there is money in the budget for this. Mr. Goerlach stated that Samantha Trybus would like to plant a holiday tree on the Police Department lawn. Mr. Goerlach stated that the Tree and Forest Committee did not return her calls. Mr. Sieloff stated that he would contact Joe Trybus to discuss. Mr. Goerlach would like Mr. Sieloff to speak with the Police Chief regarding filling positions and possibly hiring a temporary full-time officer, without benefits, at the Police Station to fill in with so many officers out. Mr. Sieloff will follow up with the Police Chief. Mr. Sieloff will ask Town Counsel about the payment of benefits.

Town Manager Report

Mr. Sieloff presented the Board with a letter from the MA State Lottery Commission offering KENO to Go at the new Lanesboro Liquor Center. [#6] If the Board has any objection to this a written objection needs to be made within 21 days of the receipt of the letter. Mr. Sieloff asked the Board if they objected. Mr. Sayers asked if the Town collects monies from the Lottery. Mr. Sieloff informed the Board that a new chicken regulation is being proposed tomorrow night at a Board of Health meeting. Mr. Sieloff is hoping that the Board of Health will vote to adopt this regulation.

Mr. Goerlach asked if the Board of Health could amend this regulation as they see fit. Mr. Sieloff stated that they could. Mr. Sieloff informed the Board that there are two options regarding emails for board and committee members. A new email could be created where board or committee members could forward any emails to archive them and then delete them from their personal accounts. Another option would be to create email addresses for each Board member which be used instead of their personal email. Mr. Sieloff asked the Board which option they preferred. Mr. Goerlach asked if personal accounts could be subject to a court case. Mr. Goerlach would like a separate email. Mr. Sayers asked what can be done with emails that are sent to personal account. Mr. Sieloff stated that they could be forwarded to the archive email address. Mr. Sayers would like separate emails as well. Mr. Ericson would like more information. Mr. Sieloff stated that new email addresses can be posted on the Town's website.

Approve Minutes

Motion made by Robert Ericson to approve the Minutes of March 7, 2016, seconded by Henry Sayers. Motion carried 3-0. Motion made by John Goerlach to approve the Minutes of March 14, 2016, seconded by Henry Sayers. Motion carried 2-0. Robert Ericson abstained from vote. Motion made by Henry Sayers to approve the Minutes of March 22, 2016, seconded by Robert Ericson. Motion carried 2-0. John Goerlach abstained from vote. Motion made by Henry Sayers to approve the Minutes of March 28, 2016, seconded by Robert Ericson. Motion carried 3-0. Motion made by Henry Sayers to approve the Executive Session Minutes of March 28, 2016, seconded by Robert Ericson. Motion carried 3-0.

Adjournment

Motion to adjourn meeting made by Henry Sayers, seconded by Robert Ericson. Motion carried 3-0. Meeting adjourned at 8:55 p.m.

Footnotes:

- [#1] Proposed Sunday Entertainment License Application
- [#2] Town Committee Vacancies List
- [#3] Health Insurance Court Decision
- [#4] Tighe & Bond Handouts – Summer Street Project
- [#5] Open Projects List
- [#6] MA State Lottery Commission KENO Correspondence